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ALSTON & BIRD LLP

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Raleigh, NC 27604-1062

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TELECOPY**PLEASE DELIVER AS SOON AS POSSIBLE****Date:**

May 2, 2006

Recipient:

Examiner Douglas N. Washburn

Company:

USPTO

Fax Number:

1-571-273-8300

Voice Number:

1-571-272-2284

Sender:

Kevin R. Lyn

Message:

Appl. No.: 10/817,169

Confirmation No.: 2727

Applicant(s): *Bienvenu et al.*

Filed: April 2, 2004

Art Unit: 2863

Examiner: Washburn, Douglas N.

Title: PAVING-RELATED MEASURING DEVICE INCORPORATING A
COMPUTER DEVICE AND COMMUNICATION ELEMENT
THEREBETWEEN AND ASSOCIATED METHOD

Docket No.: 031850/272210

Customer No.: 00826

Please see the attached Amendment, Petition, and Fee to Correct and/or Add to Originally Named Inventor(s) (2 pages), Declaration and Power of Attorney (2 pages), Assent of Assignee to Correction and/or Addition to Originally Named Inventor(s), Assignment (3 pages), and Statement of Lack of Deceptive Intent (1 page) in reference to the above-identified patent application.

Number of Pages: (including cover page) 10

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USER CODE: LYNKE	REQUESTED BY: Kevin Lyn
CLIENT/MATTER: 031850/272210	OPERATOR:

RTA01/2195685v1

RTA01/2200169v1

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 00826

Direct telephone calls to:

Kevin R. Lyn
Registration No. 42,818
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

Full name of first inventor: Michael E. Bienvenu

Inventor's

Signature: Michael E. Bienvenu Date: 03-22-2006

Residence: Cary, North Carolina Miami Beach, Florida

Citizenship: United States of America

Mailing Address: 103 Stoneleigh Drive, Cary, North Carolina 27511
P.O. Box 403344, Miami Beach, FL 33140

Full name of second inventor: John Pjura

Inventor's

Signature: John Pjura Date: 4-12-2006

Residence: Durham, North Carolina

Citizenship: United States of America

Mailing Address: 4012 Tyne Drive, Durham, North Carolina 27703

Full name of third inventor: Robert Ernest Troxler

Inventor's

Signature: Robert Ernest Troxler Date: 4-7-06

Residence: Raleigh, North Carolina

Citizenship: United States of America

Mailing Address: 1609 Canterbury Road, Raleigh, North Carolina 27608

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Attorney's Docket No. 031850/272210

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: *Bienvenu et al.* Confirmation No.: 2727
Appl. No.: 10/817,169 Group No.: 2863
Filed: April 2, 2004 Examiner: Washburn, Douglas N.
For: PAVING-RELATED MEASURING DEVICE INCORPORATING A COMPUTER
DEVICE AND COMMUNICATION ELEMENT THEREBETWEEN AND
ASSOCIATED METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ASSENT OF ASSIGNEE TO CORRECTION AND/OR
ADDITION TO ORIGINALLY NAMED INVENTOR(S)
37 CFR § 1.48(c)(5)

Troxler Electronic Laboratories, Inc.
(name of assignee)

3008 Cornwallis Road, Research Triangle Park, North Carolina 27709
(Address)

Assignment



recorded on August 13, 2004 at Reel 015064, Frame 0057
a copy of the assignment that was sent for recording on August 13, 2004 is
enclosed herewith.

Assignee hereby assents to the correction of inventorship filed herewith.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of
the assignee.

TROXLER ELECTRONIC LABORATORIES, INC.

Name: William F. Troxler, Jr.
Title: President William F. Troxler, Jr.
Date: March 14, 2006

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ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

Troxler Electronic Laboratories, Inc.
3008 Cornwallis Road
Research Triangle Park, North Carolina 27709

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in **"PAVING-RELATED MEASURING DEVICE INCORPORATING A COMPUTER DEVICE AND COMMUNICATION ELEMENT THEREBETWEEN AND ASSOCIATED METHOD"**

as set forth in this United States Patent Application

☐
☐
☒
☒

executed concurrently herewith

executed on

Application No. 10/817,169; filed April 2, 2004

Application claims priority from Application No. 10/269,843, filed October 11, 2002, all applications listed above being hereinafter referred to as the "application(s)";

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation, nonprovisionals, continuation-in-parts, and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues, reexaminations, and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, declarations, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs,

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models, samples or other physical exhibits which may embody said inventions, and to testify in any proceedings relating to said inventions, patent applications, and/or Letters Patent.

The undersigned hereby grant(s) an authorized representative of Assignee the power to insert in this Assignment any further identification that may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

06/30/04
Date

Michael Bienvenu
Michael Bienvenu

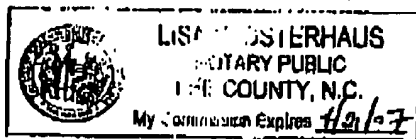
State of North Carolina)
County of Durham)

I, Lisa V. Osterhaus, a Notary Public for said County and State, do hereby certify that Michael Bienvenu personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 30th day of June, 2004.

(Official Seal)

My commission expires April 21, 2007
[Signature]
Notary Public



6-30-04
Date

John Pjura
John Pjura

State of NORTH CAROLINA

County of DURHAM

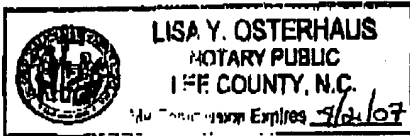
I, LISA Y. OSTERHAUS, a Notary Public for said County and State, do hereby certify that John Pjura personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 30th day of June, 2004.

(Official Seal)

My commission expires April 21, 2007
Lisa Y. Osterhaus
Notary Public

Attorney Docket No. 031850/272210



Attorney's Docket No. 031850/272210

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Bienvenu *et al.* Confirmation No.: 2727
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ASSOCIATED METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF LACK OF DECEPTIVE INTENT UNDER 37 CFR 1.48(h)

I, Robert Ernest Troxler, declare that:

1. I am an inventor of the invention disclosed in the above-identified patent application.
2. Due to an error, my name was not included as an inventor when the application was filed.
3. Error in the exclusion of my name on the above-identified patent application was made without any deceptive intent on my part.

Signature: _____

Robert Ernest Troxler

Date: _____

3-15-06

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